

Avante International
vs.
Premier Election Solutions, et al.

No. 406-CV-00978 TCM

United States District Court

Eastern District of Missouri

October 23, 2007

MEMORANDUM FOR CLERK

Upon the stipulation of the parties, based on the Court's
Memorandum and Order on Claim Construction, Doc. 276,
August 20, 2007 and the Court's Order granting Defendant
Premier Election Solution's Motion for Summary Judgment
of NonInfringement, Doc. 301, September 24, 2007, it is hereby
ORDERED that Summary Judgment of non infringement, on
the asserted claims of U. S. Patent NO. 7,036,730, in favor
of Defendants Election Systems & Software, Inc. and Sequoia
Voting Systems is GRANTED.

It is further Ordered That the Court hereby dismisses
as moot, without prejudice, all claims of plaintiff and the counterclaims
of all defendants, regarding all claims of U.S. Patent No.
7,036,730, which were not disposed of in the Court's Summary
Judgment orders with respect to the '730 patent.

It is further Ordered That the Court hereby dismisses,

Attorney for Plaintiff
Defendant

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as moot, without prejudice, all claims of plaintiff and the
counterclaims of all defendants on the unasserted claims
of U.S. Patent Nos 6,892,944 and 7,077,313
and the court declines declaratory judgment
jurisdiction as to any issues of validity or infringement
raised by the Defendants in their counterclaims
on the unasserted claims.

The "unasserted claims" of the '944 & '313 Patents
are defined as all claims except claims 1, 26-28 (which
depend on claim 18), 31, 32, 42, 49-51 of the '944
patent and claims 13, 14, 47 & 48 of the '313 patent

So ordered:

[Signature]

10/23/07

Attorney for Plaintiff
Defendant

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